



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2303966

Applicant Name: Brittani Ard

Address of Application: 6736 14th Avenue NW

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into three (3) unit lots (unit subdivision). This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses is being reviewed under project #2303377.

The following approval is required:

Short Subdivision - to divide one existing parcel into three unit lots (unit subdivision).
(Seattle Municipal Code (SMC) Chapter 23.24)

SEPA DETERMINATION:

☒ [X] Exempt ☐ [] DNS ☐ [] MDNS ☐ [] EIS

☐ [] DNS with conditions

☐ [] DNS involving non-exempt grading or demolition
or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The 5000-sq. ft. proposal site is located on the east side of 14th Avenue NW approximately 194 feet from the intersection of 14th Avenue NW and NW 70th Street. The site is rectangular in shape and is described as Lots 9 and 10, Block 4, Hamlet's Acres Garden Addition to the City of Seattle. The site is currently developed with a single family residence and a shed. The site is relatively flat towards 14th Avenue NW but slopes gently from west to east towards the alley terminating with 4 feet high rockery wall along portions of the rear property line. Vehicular access is available from the 10-foot wide alley located to the rear of the lot. The existing single family structure will remain while the existing shed in the rear of the lot will be removed and two townhouse units will be added to the rear of the existing structure. 14th Avenue NW is a collector arterial, is fully developed with concrete curbs, sidewalks and gutters. Ballard High School is located on the next block to the south of 67th Avenue NW, with 15th Avenue NW located two and half blocks west of the proposal site. The site is not designated as environmentally critical pursuant to the Environmental Critical Area Ordinance, SMC 25.09. The subject site is located in a Lowrise 1 (L-1) zone. The L-1 zone abuts Single Family (SF-5000) zone to the east, L-2/RC zone to the north, and L-2 zone to the west and south. Development in the immediate vicinity is predominantly a mixture of single family and multifamily uses.

Proposal Description

The proposal is to subdivide the existing 5000 sq. ft. lot into three unit lots (unit subdivision), with the following unit sizes proposed; A) 2,462 sq. ft., B) 1,214 sq. ft., and C) 1,327 sq. ft. Vehicular access to the unit lots is available from the 10-foot wide alley located along the rear property line to the east. Each parcel will have an established surface parking space provided within the rear setback with direct access from the alley.

Public Comments

Notice of the proposed project was published on July 22, 2003. The public comment period ended on August 6, 2003. No comment letter was received.

ANALYSIS - SHORT SUBDIVISION

Based on information provided by the applicant, referral comments from DPD, Water and Fire Departments, Seattle City Light, and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

Pursuant to SMC 23.24.40, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*

The proposed unit subdivision would provide adequate buildable area to meet development standards of the Lowrise 1 (L-1) zone. The site will meet the minimum density requirements of the zone and each lot would provide minimum open space required. The site as a whole will meet the development standards for the Lowrise 1 (L-1) zone.

2. *Adequacy of accesses for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicular access is available from a 10-foot alley located adjacent to rear property line east of the site. According to SMC 23.53.030D Chart C, the required width of the alley is 12 feet. The applicant has revised both the building plans and MUP plans to indicate a one foot alley dedication. As a result, the alley adjacent to the site will be eleven feet in width. The Seattle Fire Department has reviewed the proposed lot configuration in regards to fire protection and emergency vehicle access and has no objections.

Seattle City Light has reviewed the proposed short plat and determined that an overhead and underground electric easement is required. Project approval will be conditioned upon recording of the appropriate easement.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

There is an existing single side sewer connection to a 15-inch combined public sewer (PS) located in 14th Avenue. In order to provide sewer service to the proposed new construction, a new connection to the PSS will be required. According to the drainage reviewer, the combined public sewer will be the point of discharge of stormwater runoff. Stormwater detention with controlled release to the PS in 14th Avenue NW is likely to be required for construction in excess of 2000 sq. ft. development coverage.

Seattle Public Utilities has approved the additional water line to the site. Naturally, all Water Department Conditions of approval must be met.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The public use and interest will be served with this proposal because additional opportunities for owner occupied housing would be provided within the City limits as a result of this subdivision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in Environmentally Critical Areas.*

The proposal site is not located in a mapped environmentally critical area.

6. *Is designed to maximize the retention of existing trees.*

A 6 inch cedar tree is located to the rear of the existing residence; it will be removed with the construction of the proposed townhouse addition. The related construction plans under project #2303377 provided a proposed landscape plan, which includes specific location and description of trees and shrubs.

7. *Conformance to the provisions of Section 23.24.045, Townhouses, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses.*

The provisions of SMC Section 23.24.045 are as follows:

- A. *The provisions of this Section apply exclusively to the unit subdivision of townhouses, cottage housing, clustered housing, or single-family residences in Lowrise zones.*

The subject proposal would establish separate lots for three residential units in a Lowrise 1 zone, thus falling within the provision of SMC Section 23.24.045.

- B. *Site developed or proposed to be developed with dwelling units listed in subsection A above may be subdivided into individual unit lots. The development as a whole shall meet the development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual units lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lots, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*

Approval of the development pursuant to application #2303377 demonstrates that the development as a whole, on the parent lot, satisfies applicable development standards. Useable private open space for each dwelling unit has been shown on the related building permit and the proposed short plat.

- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*

The condition added pursuant to criterion F below should assure that proper control of future platting actions or modifications to structure(s) is appropriately limited.

- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and similar features, as recorded with the Director of the King County Department of Records and Elections.*

A joint use and maintenance agreement for the easement must be provided with the final recording documents.

- E. Within the parent lot, required parking for a dwelling unit maybe provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Development of Records and Elections.*

Each parcel will have an established surface parking space provided within the rear setback with direct access from the alley.

- F. The fact that additional development of the individual unit lots may be limited as result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of King County Department of Records and Elections.*

Review of the site plan shows that the proposed short subdivision conforms to applicable standards of SMC 23.24.045, and applicable standards for unit subdivisions. To assure that future owners have constructive notice that additional development may be limited the following statement shall be required as a condition and be included as a note on the final short subdivision. "The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code".

DECISION - SHORT SUBDIVISION

The application to subdivide one parcel into five unit lots is **CONDITIONALLY APPROVED**.

CONDITIONS- SHORT SUBDIVISION

Prior to recording

The owner(s) and responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Applicant shall add a note to the face of the plat stating: "The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in

this subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code”.

3. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the face of the plat "For conditions of approval after recording, see page ____ of ____."
4. Add to the face of the plat the language that required granting Seattle City Light its required easement.
5. The easement as described in Seattle City Light's P.M. #250301-3-003 shall be included on the final plat.
6. Provide final recording forms and fees.
7. Provide a joint maintenance and responsibility agreement for ingress, egress, and utility easements and for maintenance and use of shared walls on property lines.
8. A street address sign shall be erected facing 14th Avenue NW, which shows addresses for all lots on the site. An easement or covenant shall be recorded with the final plat to ensure that the address signage is maintained.

Signature: (signature on file) Date: April 5, 2004
Christopher A. Ndifon, Land Use Planner
Department of Planning and Development
Land Use Services